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Letter dated 5 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council

I have the honour to forward to you an urgent letter dated 5 February 2011 from H.E. Mr. Hor Namhong, Deputy Prime Minister and Minister of Foreign Affairs and International Cooperation of the Kingdom of Cambodia, addressed to you (see annex).

I would like to request that you circulate the letter from my Deputy Prime Minister as a document of the Security Council.

(*Signed*) Kosal **Sea**
Ambassador and Permanent Representative

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Annex to the letter dated 5 February 2011 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council

With reference to the letter dated 8 August 2010 from Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia, addressed to H.E. Vitaly Churkin, President of the Security Council and H.E. Ali Abdussalam Treki, President of the General Assembly in 2010, I would like to draw your attention to the explosive situation at the border between the Kingdom of Cambodia and the Kingdom of Thailand as follows:

On 4 February 2011, between 15.00 and 17.00 hours, approximately 300 Thai troops entered Cambodian territory and attacked Cambodian troops at three locations, namely, Khmum, located just 500 metres from the staircase of the Temple of Preah Vihear, Veal Intry area and Phnom Trap hill, situated approximately 1,120 metres and 1,600 metres, respectively, from the border inside Cambodian territory. This aggression by Thai armed forces was also followed by firing of many 130 mm and 155 mm artillery shells, which reached as far as about 20 km inside Cambodian territory. The attack caused much serious damage to the Temple of Preah Vihear, a World Heritage site, as well as death and injury of more than 10 Cambodian troops and villagers.

Again, on the morning of 5 February 2011, at 06.30 hours, Thai armed forces fired a number of 105 mm artillery shells at Phnom Trap hill, which lasted for about 20 minutes.

Facing this flagrant aggression, Cambodian troops had no option but to retaliate in self-defence and in order to safeguard Cambodia's sovereignty and territorial integrity.

May I also recall that Thailand committed acts of aggression against Cambodia on three earlier occasions, namely, on 15 July 2008, 15 October 2008 and 3 April 2009 in the areas of the Keo Sikha Kiri Svara pagoda, Veal Intry, Phnom Trap hill and Tasem, all of which are in the vicinity of the Temple of Preah Vihear. These armed aggressions resulted in human casualties as well as property damage, especially to the Temple of Preah Vihear, which was listed as a World Heritage site on 7 July 2008.

The repeated acts of aggression against Cambodia by Thailand violate the following legal instruments:

1. The judgement of the International Court of Justice, on 15 June 1962.
2. Articles 2.3, 2.4 and 94.1 of the Charter of the United Nations.
3. The Treaty of Amity and Cooperation in Southeast Asia, article 2, to which Cambodia and Thailand are parties, provides for:
   - Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations
   - Settlement of differences and disputes by peaceful means
   - Renunciation of the threat or use of force

4. The Agreement concerning the Sovereignty, Independence, Territorial Integrity and Inviolability, Neutrality and National Unity of Cambodia, articles 2.2.c, 2.2.d, of the Paris Peace Accord in 1991.

Considering this repeated blatant aggression by Thailand, I would highly appreciate it if you would circulate the present letter to the members of the Security Council as a document of the Council.

(*Signed*) Hor **Namhong**